

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY 2004 TRIBAL FUNDS FOR ENFORCEMENT AND COMPLIANCE ASSISTANCE ACTIVITIES

ACTION: Request for Applications (RFA)

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO: 66.709

DATES: The closing date for submittal of applications is June 25, 2004. Applications must be postmarked by the United States Postal Service by midnight, Friday, June 25, 2004.

SUMMARY: This notice announces the availability of funds and solicits proposals from the Federally recognized tribes in New England and institutions of higher learning who will support the capacity building of these tribes to implement and enforce environmental compliance programs in Indian country.

FUNDING/AWARDS: The total estimated funding is \$89,000. Since the majority of the available funds are from the Solid Waste appropriation, each application should have a Solid Waste component to it.

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1. Funding Opportunity Description

A. Background

The Office of Environmental Stewardship of EPA New England has approximately \$89,000 available for award of FY '04 funds. The Region is therefore soliciting proposals for an Environmental Compliance Assurance and Enforcement Grant Program to build tribal capacity in several focus areas. The focus areas for funding this year include: solid waste management; compliance with illegal dumping and open dump clean up; enforcement and compliance assistance activities in the lead program; development of environmental codes, regulations, ordinances and standards to ensure protection of the health and safety of tribal members and the environment; health and safety training - 40 hour and 8 hour refresher; and a summer youth practicum.

B. Project Overview.

The goals for this grant program are twofold: 1) to provide assistance to the New England Federally recognized tribes in order to build capacity to implement and enforce tribal environmental compliance and assurance programs in Indian Country and 2) to educate tribal youth in Natural Resources Management and instill a desire for youth to pursue a career in the environmental field.

II. Award Information

A. What is the amount of funding available?

The total estimated funding for this project is \$89,000.

B. How many agreements will EPA award in this competition?

The total number and amount of the awards will depend on the amount of funds available. Grants will be in the range of \$5,000 to \$20,000.

C. What is the project period for award(s) resulting from this solicitation

The project period for award(s) resulting from this solicitation is October 2004 through September 2005. Projects may be extended beyond the project period end date provided good cause is demonstrated for the extension and no additional costs are incurred by the grantee.

III. Eligibility Information

A. Eligible Entities

Proposals will be accepted from the Federally recognized Indian tribal governments in New England and colleges and universities in New England who would develop proposals for training opportunities that would benefit the tribes efforts to build capacity.

B. Cost Sharing or Matching.

Cost Sharing or Matching is not required as a condition of eligibility, or otherwise, for proposals selected for award.

C. Other Eligibility Criteria.

The funds available are from the Office of Environmental Stewardship's Solid Waste Subtitle D and Multimedia Enforcement appropriation. Since the majority of available funds are from the Solid Waste appropriation each application should have a Solid Waste component to it. Due to the limited number of Federally recognized tribes in New England, and the limited resources available, it is strongly suggested that tribal members discuss the Request for Applications (RFA)

and the suggested focus areas. For proposals that would be for the benefit of all the New England tribes it would be helpful if the tribes would identify one tribe willing to collaborate with all of the New England tribes on the purpose and content of a specific application and apply for a grant that would be to the benefit of all of the tribes. The goal of the partnering and collaboration would be to eliminate unnecessary competition for a grant that would benefit all tribes in New England.

EPA expects to award these grants under the following grant authorities: Clean Water Act, Section 103; Federal Insecticide, Fungicide and Rodenticide Act, Section 20; Clean Air Act, Section 103; Solid Waste Disposal Act, Section 8001; Drinking Water Act, Section 1442(c); Toxic Substances Control Act, Section 10. The applicable grant regulations for this grant program are in 40 CFR Part 31 for state and local governments and Indian tribes.

Authority to enter into assistance agreements for the purposes described in this Request for Applications (RFA) are delegated to the Regional Administrator in EPA Delegation 1-47, Assistance Agreements for Economic, Social Science, Statistical, and Other Research, Development Studies, Surveys, Demonstrations, Investigations, Public Education Programs, Training and Fellowships.

Funding priorities must be allowable under 66.709 (Capacity Building Grants and Cooperative Agreements for States and Tribes) of the Catalog of Federal Domestic Assistance (CFDA).

IV. Application and Submission Information

A. How to Obtain an Application Package.

The complete grants application package can be downloaded from EPA's website at: <http://www.epa.gov/ogd/AppKit/index.htm>. Potential applicants may request a paper copy of the application package by contacting the agency contact listed in Section VII of this announcement.

B. Content and Form of Application Submission.

A. A complete application **must** have the following:

1. SF-424 Application for Federal Assistance, with original signature.
2. Narrative Statement, in the format detailed below.
3. Other Supporting Documentation
4. SF-424A, Budget by categories and indirect cost rate.
5. SF-424B, Assurances for non-construction programs.
6. EPA Form 5700.49 - Debarment and Suspension Certification
7. EPA Form 5700.53 - Certification Regarding Lobbying
8. EPA Form 4700-4 - Preaward Compliance review report
9. Quality Assurance Narrative Statement, if applicable
10. Copy of Negotiated Indirect Cost Rate Agreement, if applicable
11. Biographical Sketch - Provide an appendix with resumes of up to three key personnel who

will be significantly involved in the project

12. E-mail address (to receive notification of receipt of application and the ability for quick follow-up if additional information is needed to process the application)

B. The narrative statement should not exceed five pages and should conform to the following outline:

1. Project Title.
2. Applicant Information. Include applicant (organization) name, address, contact person, phone number, fax and e-mail address.
3. Funding Requested. Specify the amount you are requesting from EPA. The EPA portion of each grant will not exceed \$20,000. Therefore your budget should reflect this limit on Federal funds.
4. Project Period. Provide the beginning and ending dates (for planning purposes, applicants should assume funds will be available in October, 2004).
5. Narrative Workplan. This is one of the most important aspects of your application and will be used as the primary basis for selection for a grant award. Summarize the project in five pages or less. The project summary should include:
 - summary of the problem being addressed
 - summary of the project goal(s)
 - summary of the project components
 - summary of how the project components will address the problem and attain the goals
 - focus area - a concise introduction that identifies the focus area the proposal addresses
 - grant program goals - a concise summary of how the applicant intends to meet the goals of the Environmental Compliance Assurance and Enforcement Grant Program.
 - proposed activities - list and describe activities and provide a concise project description that clearly articulates the purpose of the project, target audience, projects completion plans/time frames, and expected results
 - statute - identify at least two environmental statutes that the project will address for multimedia projects. For solid waste only projects identify one.
 - measures - how will the success of the project be evaluated and measured? (e.g., Training - return on investment and number trained). Include both output and outcome measures.
 - conclusion - a brief discussion of the anticipated benefits and challenges in implementing the project.
6. Project Milestones. List project milestones with estimated dates, including estimated duration of project.
7. Total Project Costs. Specify the total cost of the project. Identify funding from other sources including any in-kind resources.
8. Detailed Itemized Budget. Clearly explain how EPA funds will be used. Provide a budget for the following categories:
 - Personnel
 - Fringe Benefits
 - Contractual Costs
 - Travel

- Equipment
 - Supplies
 - Other
 - Total Direct Costs
 - Total Indirect Costs: must include documentation of accepted indirect rate
 - Total Cost
9. Reporting Requirements. Discuss quarterly progress (schedule to be established by EPA). Quarterly progress reports should include a summary of performance progress-to-date, problems encountered, successes achieved, and lessons learned.
- 10 Letter(s) of commitment. If your proposed project is for the benefit of the other New England tribes you must include letters of commitment from these tribes.

C. Submission Date.

The deadline for submission is **June 25, 2004**. All applications must be postmarked by the United States Postal Service by midnight of June 25, 2004. Applications postmarked after the deadline will not be considered for funding. Applications should be addressed to:

Veronica C. Harrington, Tribal Grants Program Manager
 U. S. Environmental Protection Agency (SEP)
 1 Congress Street - 11th Floor
 Boston, MA 02203-0001

D. Intergovernmental Review.

Federally recognized tribal governments are not subject to the Intergovernmental Review Process; however a college or university submitting an application in support of capacity building efforts for the tribes is subject to this review process. In New England the intergovernmental review process is applicable in Maine, New Hampshire and Rhode Island. The single points of contact for each of these states is:

MAINE

Ms. Joyce Benson
 State Planning Office
 184 State Street
 38 State House Station
 Augusta, ME 04333
 Phone: 207/284-3261
 Fax: 207/284.6489
joyce.benson@state.me.us

NEW HAMPSHIRE

Mr. Jeffrey H. Taylor, Director
 New Hampshire Office of State Planning
 Attn: Intergovernmental Review Process

2 ½ Beacon Street
Concord, NH 03302
Phone: 603/271-2155
Fax: 603/271.1728
jtaylor@oosp.state.nh.us

RHODE ISLAND

Kevin Nelson
Department of Administration
Statewide Planning Program
One Capitol Hill
Providence, RI 02908-5870
Phone: 401/222-2093
Fax: 401/222.2083
knelson@doa.state.ri.us

Please note – You do not need to begin the intergovernmental review process unless and until you are notified of a selection for a grant award.

V. Application Review Information

A. Criteria

All proposals for grant funds will be evaluated and ranked based on the criteria outlined below. In evaluating tribes and institutions of higher learning for this program EPA will consider the following factors: 1) Potential benefit of the project in building tribal capacity to implement and enforce tribal environmental compliance and assurance programs. 2) Potential impact of the project and likelihood of success for assessing, understanding and reducing human health risks and improving the environmental and human health for tribal members. 3) Technical soundness for addressing the identified problem and feasibility of implementation. 4) The extent to which the project clearly and effectively discusses how the applicant will evaluate the success of the project including appropriate qualitative and quantitative measures. For the Environmental Youth Practicum the following criteria will be substituted for 2) above, however criteria 1), 3), and 4) will apply as stated: 2) The extent to which students are oriented and prepared to pursue environmental and natural resource careers by discussing environmental protection programs in the context of tribal environmental issues.

B. Review and Selection Process

Proposals must be postmarked by the United States Postal Service by midnight, **Friday, June 25, 2004. Funding decisions will be made by mid July, 2004.** After all applications are received, EPA will email an acknowledgment to all applicants.

Applications will be screened to ensure they meet all eligible activities and requirements. Applications will be disqualified if they do not meet these eligibility standards. Applications will

also be evaluated by a regional review panel based on the criteria outlined above.

Applications that propose projects that are inconsistent with the EPA's statutory authority, the goals of the program or are outside the focus areas are ineligible for funding and will not be evaluated and ranked. Applicants who do not meet the threshold requirements will be notified by EPA.

After the individual projects are reviewed and ranked, the EPA Regional office will compare the best applications and make final selections. Additional factors the EPA will take into account are the diverse nature of the projects, cost, and projects whose benefits can be sustained after the grant is completed. The Director of the Office of Environmental Stewardship will select the final grants.

Once applications have been recommended for funding, EPA will also notify the finalists and request any additional information necessary to complete the award process. The EPA will notify those applicants whose projects are not selected for funding.

C. Anticipated Announcement and Award Dates.

MAY 25, 2004	FY 2004 Environmental Compliance Assurance and Enforcement Grant Program is available. RFA is transmitted to Federally recognized tribes and some institutions of higher learning in New England. RFA is also published on the EPA New England website.
JUNE 25, 2004	Proposals must be postmarked by the United States Postal Service by midnight Friday, June 25, 2004.
JULY 15, 2004	EPA selects grant finalists and notifies recipients and non recipients via email. Additional information may be required from finalists.
JULY THROUGH LATE SEPTEMBER 2004	Grants awarded.

VI. Award Administration Information.

A. Award Notices.

Following final selections, all applicants will be notified regarding their application's status.

1. EPA anticipates notification to *successful* applicant(s) will be made via telephone, electronic or postal mail by July 15, 2004. This notification which advises that the applicant's

proposal has been selected and is being recommended for award, is not an authorization to begin performance. The award notice signed by the EPA grants officer is the authorizing document and will be provided through postal mail. At a minimum, this process can take up to 90 days from the date of selection.

2. EPA anticipates notification to *unsuccessful* applicant(s) will be made via electronic or postal mail by July 15, 2004. In either event, the notification will be sent to the original signer of the application.

B. Administrative and National Policy Requirements.

1. A listing and description of general EPA Regulations applicable to the award of assistance agreements may be viewed at:
http://www.epa.gov/ogd/AppKit/applicable_epa_regulations_and_description.htm.

2. Executive Order 12373, Intergovernmental Review of Federal Programs may be applicable to awards, resulting from this announcement. Applicants *selected* for funding may be required to provide a copy of their proposal to their State Point of Contact (SPOC) for review, pursuant to Executive Order 12372, Intergovernmental Review of Federal Programs. This review is not required prior to selection as a finalist and not all states require such a review. See contact information noted in Section IV. D.

3. All applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for a Federal grant or cooperative agreement. Applicants can receive a DUNS number, at no cost, by calling the dedicated toll free DUNS Number request line at 1-866-705-5711, or visiting the D&B website at: <http://www.dnb.com>.

C. Reporting Requirement.

Quarterly progress reports will be required. The quarterly progress report should include: a summary of performance progress-to-date, problems encountered, budget updates, successes achieved, and lessons learned. The schedule for submission of quarterly progress reports will be established by EPA, after award.

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Veronica Harrington, OES Tribal Grants Program Manager, USEPA New England (SEP), 1 Congress Street - 11th Floor, Boston, MA 02203-0001, harrington.veronica@epa.gov, Tel: 617/918-1703, Fax: 617/918-1809

VIII. Other Information.

Applicants should clearly mark information in their proposal which they consider confidential. EPA will make final confidentiality decisions in accordance with Agency regulations at 40 CFR

Part 2, Subpart B.

EPA reserves the right to reject all proposals or applications and make no award as a result of this announcement. The EPA Grant Award Officer is the only official that can bind the Agency to the expenditure of funds for selected projects resulting from this announcement.

Formal disputes challenging the Agency award decision, will be resolved using the Dispute Procedures at 40 CFR 30.63 and 40 CFR 31.70.